

AMENDMENT

It is agreed by and between the State of Vermont, Agency of Human Services (AHS) (hereafter called the "State") and Oracle America, Inc. (hereafter called the "Contractor") that the contract on the subject of software licenses and software maintenance support services, effective February 28th, 2011 (hereafter called "Agreement") is hereby amended effective July 1st, 2011, as follows:

By deleting on page "1 of 2", section 3 (Maximum Amount) and substituting in lieu thereof the following section 3:

3. Maximum Amount. In consideration of the software programs provided and services to be performed by Contractor, the State agrees to pay Contractor, in accordance with the payment provisions specified in Attachment B, a sum not to exceed \$3,874,953.74.

By deleting on page "19 of 24", section B.7 "Total Support Stream" in its entirety and substituting in lieu thereof the following section B.7:

7. Total Support Stream

For purposes of this ordering document, the "Total Support Stream" shall mean: (i) the technical support for the Reinstated Licenses and (ii) the technical support for the Program licenses specified in section A of the ordering document, including the Unlimited Deployment Programs (as defined in section C.1.a below).

By deleting on page "21 of 24", section D.3 "Technical Support Cap", the following dollar amount:

\$745,670.68

and substituting in lieu thereof the following dollar amount:

\$695,324.31

By reinstating the licenses that were converted and replaced pursuant to section D.1 (Converted and Replaced Licenses) on page "21 of 24". The following licenses are hereby reinstated ("Reinstated Licenses"):

<u>Converted and Replaced Licenses</u>	<u>Metric</u>	<u>License Qty</u>	<u>CSI No</u>
WebLogic Server Management Pack Enterprise Edition	Processor	4	16883869
Internet Application Server Enterprise Edition	Processor	4	16883869
Diagnostics Pack for Oracle Middleware	Processor	4	16883869
Internet Application Server Enterprise Edition	Processor	3	2630607
Internet Application Server Enterprise Edition	Processor	1	14514568
Internet Application Server Enterprise Edition	Processor	1	14514568
Internet Application Server Enterprise Edition	Processor	3	15681509
Diagnostics Pack for Internet Application Server	Processor	3	15681509

**STATE OF VERMONT
AMENDMENT TO CONTRACT FOR PERSONAL SERVICES
Oracle America, Inc.**

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This reinstatement does not alter, change or limit the State's right to use the Unlimited Deployment Programs as provided in the Agreement. For purposes of the certification required on page "19 of 24", section C.1.b "Certification Process", the parties agree that the State is not required to, and that the State is not permitted to, include the Reinstated Licenses in the quantities of licenses to be certified under the Agreement.

By deleting on page "1 of 1", Attachment B "Payment Provisions", the following dollar amount:

\$3,925,300.11

and substituting in lieu thereof the following dollar amount:

\$3,874,953.74

The parties agree that the effective date of the Agreement shall be February 28, 2011.

Each party hereby represents to the other party that this amendment (a) has been duly authorized by such party, (b) has been duly executed by an authorized representative of such party and (c) and is a valid, legally binding and enforceable agreement against such party.

This amendment consists of 2 pages. Except as modified by this amendment, all provisions of the Agreement, (#18928) shall remain unchanged and in full force and effect.

**STATE OF VERMONT
Agency of Human Services (AHS)**

By: Patrick Flood
Patrick Flood - Secretary of Human Services

Date: 6/27/11

**CONTRACTOR
Oracle America, Inc.**

By: Angela Johnson
Angela Johnson - Contracts Manager

Date: June 23, 2011